

United States District Court
for the
Eastern District of Arkansas

Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS
DEC 09 2013
JAMES W. MCGORMACK, CLERK
By: *[Signature]*
DEP. CLERK

Name of Offender: Sharon D. Smith

Case Number: 4:13CR00245-01 JLH

Name of Sentencing Judicial Officer: Honorable Marcia A. Crone
United States District Judge
Eastern District of Texas

Name of Reassigned Judicial Officer: Honorable Leon J. Holmes
United States District Judge
Eastern District of Arkansas
(Jurisdiction transferred on September 11, 2013)

Date of Sentence: March 5, 2012

Original Sentence: 5 years probation, financial disclosure, no new lines of credit, shall not participate in any form of gambling unless payment of any financial obligation ordered by the Court has been paid in full, participate in an employment training or independent living program, and \$13,538.71 restitution payment

Type of Probation Date Supervision Commenced: March 5, 2012
Supervision: Date Supervision Expires: March 4, 2017

U.S. Probation Officer: Emilienne Ngampa	Asst. U.S. Attorney: John Ray White	Defense Attorney: To be appointed
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PETITIONING THE COURT

- ☐ To extend the term of supervision for _____ year(s), for a total term of _____ years.
- ☒ To modify the conditions of supervision as follows:

The defendant shall pay restitution in the amount of not less than \$150 a month.

CAUSE

Ms. Smith is a single mother of two children. Ms. Smith is employed as a home caretaker in Pine Bluff, Arkansas. Her work schedule and earnings vary from month to month. She has failed to pay her restitution for the months of August and September 2013. A financial investigation completed in September revealed Ms. Smith's gross monthly income was \$870. However, her necessary monthly expenses were \$1,767.24. The U.S. Probation Office has been working with Ms. Smith in an effort to bring her into compliance with her financial

Prob 12B

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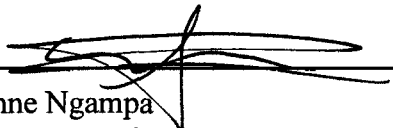
Request for Modifying the
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Name of Offender: Sharon D. Smith

Case Number: 4:13CR00245-01 JLH

obligation. Based on Ms. Smith's current financial status, the U.S. Probation Office is requesting the Court modify her payments to a set payment amount of restitution to each month.

On December 4, 2013, another financial investigation was conducted and Assistant Federal Public Defender Chris Tarver was contacted telephonically to review the waiver of hearing to modify conditions of supervised release with Ms. Smith. After speaking with Mr. Tarver, Ms. Smith signed the attached Waiver of Hearing to Modify Conditions of Supervised Release, agreeing to the modification.



 Emilienne Ngampa
 U.S. Probation Officer

 Date: December 5, 2013

 Assistant U.S. Attorney

 Date: 12/05/13

Approved:


 Supervising U.S. Probation Officer

 This form is to be filed with Criminal Docketing as a motion.

THE COURT ORDERS:

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other


 Signature of Judicial Officer

December 9, 2013
 Date

 This form is to be filed with Criminal Docketing as an order and/or petition.

c: Assistant Federal Public Defender, Chris Tarver, 1401 West Capitol Avenue, Suite 490, Little Rock, AR 72201
 Assistant U.S. Attorney, John Ray White, P.O. Box 1229, Little Rock, AR 72203

PROB 49

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF ARKANSAS

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall pay restitution in the amount of not less than \$150 a month.


Witness:


U.S. Probation Officer

Signed:


Probationer or Supervised Releasee

12/4/13
DATE


12-5-2013